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09/409792

09/30/99

REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR § 1.53(b)(1)

Case No.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
	CLASS	SUBCLASS		
6298/308	128	200.220	A. Lewis	3761

Address to:

Assistant Commissioner for Patents
Washington, DC 20231

This is a request for filing a continuation divisional application under 37 CFR § 1.53(b)(1), of pending prior application number 08/842,956, filed on April 25, 1997, entitled EXHALATION VALVE FOR FACE MASK WITH SPACER CHAMBER CONNECTION, claiming priority of U.S. Serial No. 08/270,752, filed on July 5, 1994.

- Copy of the Prior application, including 21 pages of Application, which includes two sheets of drawings as filed with application number 08/842,956.
- Two (2) new sheets of formal drawings are enclosed (Figs. 1-12).
- Copy of the Declaration filed in the Prior applications.
- Information Disclosure Statement and copies of Information Disclosure Statement and Examiner-Initialled PTO Form 1449 previously filed in 08/842,956.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	28 - 20 =	8	x \$ 18 =	\$144
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	9 - 3 =	6	x \$ 78 =	\$468
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$260 =	\$
				BASIC FEE (37 CFR 1.16(a))	\$760
				Total of above Calculations =	\$
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				\$
				TOTAL =	\$1,372.00

- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
 - is enclosed.
 - was filed in prior application number _____ and such status is still proper and desired (37 CFR 1.28(a)).
- The Assistant Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- Enclosed is a check for \$1,372.00 to cover the filing fees.
- Cancel in this application original claims 16-27, 30 and 31 of the prior application and otherwise enter the attached preliminary amendment before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- The inventors of the invention being claimed in this application are: MARTIN P. FOLEY and ROBERT MORTON.

10. This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Assistant Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: _____
11. Amend the specification by inserting before the first line the sentence: "This application is a continuation division of application number 08/842,956, filed April 25, 1997, (pending), claiming priority of U.S. Serial No. 08/270,752, filed on July 5, 1994, which applications are hereby incorporated by reference."
12. Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.
 The certified copy has been filed in prior application number _____, filed
13. A preliminary amendment is enclosed.
14. The prior application is assigned of record to Trudell Medical Limited.
15. Also enclosed: _____.
16. The power of attorney in the prior application is to:
a. The power appears in the original papers in the prior application.
b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. Address all future correspondence to: (may only be completed by applicant, or attorney or agent of record.)

September 30, 1999
Date

Vita G. Conforti
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200


Signature
Name: Vita G. Conforti
Reg. No. 39,639

- Inventor(s)
 Assignee of complete interest
 Attorney or agent of record
 Filed under 37 CFR 1.34(a)
Registration Number if acting under 37 CFR 1.34(a): _____.